

EXHIBIT D

REESE, ET AL v. CNH GLOBAL N.V., ET AL

SCOTT MACEY

April 2, 2014

Prepared for you by



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<p style="text-align: center;">Page 378</p> <p>1 Q. Are you still working there three days a 2 week? 3 A. Yes, and then I, you know, work remotely on 4 other days as needed. 5 Q. Do you have a day certain that you'll retire 6 by? 7 A. No, no. You know, they're looking and I'm 8 going to, you know, continue to dedicate myself to my 9 job as long as they need me until they have somebody. 10 Q. And that is your only job; correct? 11 A. Yes. 12 Q. Have you been asked to formulate any further 13 opinions in this case since the last time you were 14 deposed? 15 A. No. 16 Q. Have you done any work for the CNH Global 17 N.V. or CNH Industrial America LLC since we talked 18 last? 19 A. No. 20 MR. ROGACZEWSKI: Objection to form. 21 BY MS. BRAULT: 22 Q. Do you -- do you presently intend to 23 supplement any of your reports? 24 A. Not to my knowledge. 25 Q. After your deposition last time and up to</p>	<p style="text-align: center;">Page 380</p> <p>1 as Exhibit No. 16. 2 (Macey Deposition Exhibit No. 16 was marked 3 for identification.) 4 BY MS. BRAULT: 5 Q. Okay. I'm showing you what's been marked as 6 16. 7 A. Oh, I'm sorry. 8 Q. If you want to put a flag at the front of 9 your report so you don't have to worry about holding it 10 open, that may help you. All right. Okay. So turning 11 to Exhibit 16, is this the document that you produced 12 in 2013? 13 MR. ROGACZEWSKI: Let me object to the form 14 of the question. 15 BY MS. BRAULT: 16 Q. 2014? 17 MR. ROGACZEWSKI: I'm just not sure if this 18 is a -- this is an excerpt from a document or is this a 19 complete document? 20 THE WITNESS: I mean I remember looking at 21 something like this. I don't know exactly what was 22 produced. 23 BY MS. BRAULT: 24 Q. Okay. Well, I will state for the record that 25 this is Bates stamped MACEY2013-0002762 and was part of</p>
<p style="text-align: center;">Page 379</p> <p>1 today did you review anything new or look at anything 2 that was either related to or supportive of your 3 opinions in this case? 4 MR. ROGACZEWSKI: Object to form. 5 THE WITNESS: Nothing new. I, I went back 6 and looked at some of the documents that I believe were 7 provided to the plaintiffs subsequent to that 8 deposition in January. 9 BY MS. BRAULT: 10 Q. So what sort of documents did you look at? 11 A. My recollection was most of them related to 12 federal employee benefits, a few short documents. I 13 think one related to the, a UAW communication regarding 14 2013 benefits under the trust fund. 15 Q. The VEBA? 16 A. The VEBA, thank you, a few things like that. 17 I don't recall the, each exact one. I think there was 18 a document about the, a possible federal, an example of 19 a federal subsidy under an exchange. 20 Q. We have the deposition exhibits from last 21 time and I think if -- I have a few questions that 22 relate to your report, and I think it might just be 23 helpful for you to have it in front of you. I'm going 24 to give you the unwieldy copy, unfortunately, and 25 that's just to refer to. I'm going to mark this then</p>	<p style="text-align: center;">Page 381</p> <p>1 the documents that were provided to us recently. You 2 sort of went through and described some documents that 3 you looked at: The federal employee benefits, you said 4 a few short documents, one about the VEBA. Was this 5 one of those documents as well? 6 A. It certainly could have been. 7 Q. Okay. And can you tell me -- can you tell me 8 what it is, where you found it? 9 A. Well, it says Kaiser Family Foundation, and 10 over the years I've utilized them as one of my 11 resources for researching and looking at health issues, 12 health cost issues and trends in the health care 13 industry and, when relevant, with respect to employer 14 health plans. 15 Q. Was this document something that you used in 16 preparation of your expert report? 17 A. I, I don't know -- when you say "use," I'm 18 not sure what that means in this context. 19 Q. Okay. Is there anything in this document 20 that you relied upon or cited to in your report? 21 A. I forget whether I cited to it. I could 22 have. It, it was one of the documents, as you'll see 23 from, you know, the list of the sources in, as an 24 addenda to the actual report, I looked at a lot of 25 different things, and this was probably no doubt one of</p>